

#4
12
10-1702

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
ATTY. DOCKET NO. 71493-949 JMc:MPP:rmk

In re Patent Application of DAVID W. BOERTJES ET AL.

Serial No.: 10/029,282

Group Art Unit: 1773

Filed: December 28, 2001

Examiner:

For: PROGRAMMABLE OADM WITH CHROMATIC DISPERSION, DISPERSION
SLOPE AND AMPLITUDE RIPPLE COMPENSATION, AND METHOD

INFORMATION DISCLOSURE STATEMENT

This Information Disclosure Statement is being filed in the manner prescribed by 37 CFR 1.97(b) - (d) to satisfy the duty under 37 CFR 1.56 to disclose to the Office information, known to individuals associated with the filing and prosecution of the subject application, which is material to the examination of the application.

In accordance with 37 CFR 1.97(g) and (h), this statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 CFR 1.56(b).

This information disclosure statement is being filed after the first official action but before the earlier of the mailing date of either a final action under 37 CFR 1.113 or a notice of allowance under 37 CFR 1.311 and under 37 CFR 1.97(c) is accompanied by either a certification as specified in paragraph (e) of 37 CFR 1.97 or the fee set forth in 37 CFR 1.17(p). Applicant therefore respectfully requests consideration of this information disclosure statement under 37 CFR 1.97 (c).

In compliance with 37 CFR 1.98(a)(1), a list of all patents, publications or other information

submitted for consideration by the Office is hereby provided by way of the attached Form PTO 1449.

In compliance with 37 CFR 1.98(a)(2), also enclosed is a legible copy of:


- i) each United States and foreign patent;
- ii) each publication or that portion which caused it to be listed; and
- iii) all other information or that portion which caused it to be listed, excluding any copies of a United States patent application.

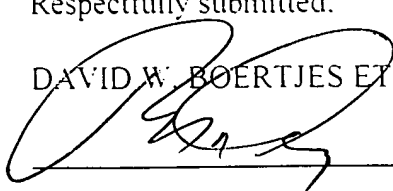
It is respectfully requested that the information be expressly considered by the Examiner and that the references be made of record and appear among the "References Cited" on any patent to issue therefrom.

The Patent Office is hereby authorized to charge any deficiency, or credit any overpayment in fees to Deposit Account Number 04-1577.

Respectfully submitted,

DAVID W. BOERTJES ET AL.


Dated: May 30, 2002


Ralph A. Dowell, Reg. No. 26,868
Dowell & Dowell, P.C.
Suite 309, 1215 Jefferson Davis Hwy.
Arlington, VA 22202
703-415-2555

Encls.: Form PTO-1449
All references listed on Form PTO-1449

